

REMARKS

Claim 1-26 are pending in the present application. No claims have been added. Claims 10, 10, and 26 have been cancelled. Therefore, upon entry of the present Amendment, claims 1-9, 12-25 will be pending.

Claims 16-19 have been allowed.

Claims 10 and 26 have been objected to, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 15 and 19 have been objected to because of the informality of lack of a period "." Applicants have amended the claims to correct the informality.

Claims 1, 3-8, 11-14, 20, 22-25 have been rejected under 35 U.S.C §102(e) as being by Xiong (US Patent publication 2004/0198261). Claims 2, 9, 15, and 21 where rejected under 35 U.S.C §103(a) as being unpatentable over Xiong. These rejections are moot.

Applicant has amended claims 1, 7, and 24 to have the limitation of the communication device is optimized for error vector magnitude. Examiner has indicated allowance of claim 16 in which this limitation appears. Applicant has amended claim 20 to have the limitation "determine a first gain setting for a communication device by calibrating the communication device for error vector magnitude." This limitation is in the spirit of claim 26 which Examiner has indicated as allowable. Thus, claims 1, 7, and 24 are in condition for allowance.

Claims 2-6 are dependent, directly or indirectly, upon claim 1. Claims 8 and 9 are dependent upon claim 7. Claims 12-15 have been amended to be dependent upon allowed claim 16. Thus, all claims are in condition for allowance.

In light of the above, it is respectfully submitted that the present application is in condition for allowance, and notice to that effect is respectfully requested.

While it is believed that the instant response places the application in condition for allowance, should the Examiner have any further comments or suggestions, it is respectfully requested that the Examiner contact the undersigned in order to expeditiously resolve any outstanding issues.

Respectfully submitted:

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Date

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